

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3738 of 2024

=====

Dinesh Kumar @ Alias Dinesh Jha S/o Late Sahdeo Jha R/o Village-Belahi,
P.O.-Belahi Anchal-Kaluahi, P.S.-Kaluahi, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue Department, Bihar, Patna.
2. The Principal Secretary, Revenue Department, Bihar, Patna.
3. The District Magistrate, District-Madhubani.
4. The Circle Officer, Circle- Kaluahi, District- Madhubani.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Bimal Kumar Jha, Adv.
For the Respondent/s	:	Mr.Vinay Kirti Singh, GA-2
		Mr.Sumant Kr. Singh, AC to GA-2

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 3 21-10-2024 1. Though the present writ petition was filed for quashing the notice dated 16.01.2024, issued in Form-2, under the provisions of the Bihar Public Land Encroachment Act, 1956, (hereinafter referred to as ‘the Act, 1956’), by the Circle Officer, Kaluahi, District-Madhubani, however, it is pointed out that during the interregnum period, some of the encroachers had filed an appeal bearing Encroachment Appeal Case No.256 of 2022, which has been dismissed by an order dated 22.07.2023, passed by the District Magistrate, Madhubani, nonetheless, the matter was remanded back to the Circle Officer, Kaluahi, District-Madhubani, granting him liberty to proceed as per the provisions contained in the Act, 1956, whereupon the



Circle Officer, Kaluahi, District-Madhubani has passed the final order under Section 6(1) of the Act, 1956, on 16.01.2024, in connection with Encroachment Case No.3 of 2022-23.

2. In view of the aforesaid, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the aforesaid order dated 16.01.2024, by filing appropriate appeal under Section 11 of the Act, 1956, however, seeks some protection during the interregnum period. Liberty so sought is granted.

3. It is needless to state that for a period of four weeks from today, status quo, existing as on today qua the land/house of the petitioner in question shall be maintained in order to enable the petitioner to file appropriate appeal and seek interim relief.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

sonal/-

U			
---	--	--	--

